

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHRISTOPHER MBEWE,

Plaintiff,

v.

THERESA A. DELBALSO, *et al.*,

Defendants.

No. 4:21-CV-00654

(Chief Judge Brann)

ORDER

AND NOW, this 16th day of August 2022, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Defendants' motion (Doc. 39) to dismiss the second amended complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) is **GRANTED**.
2. Mbewe's Fourteenth Amendment claim of deprivation of property without due process is **DISMISSED** with prejudice.
3. Mbewe's First and Fourteenth Amendment access-to-courts claim is **DISMISSED** without prejudice.
4. Mbewe's First Amendment free-speech legal mail interference claim is **DISMISSED** without prejudice.
5. Mbewe, if desired, may file a third amended complaint in conformity with the accompanying Memorandum within **21 days** of the date of this Order, or on or before **September 6, 2022**.

6. If no third amended complaint is timely filed, the Court will CLOSE this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge